

Introduced by Senator Aanestad

February 22, 2005

An act to amend Sections 20460.1 and 20815 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 733, as introduced, Aanestad. Public employees' retirement: Butte County.

The Public Employees' Retirement Law provides that, after the implementation of the Trial Court Employment Protection and Governance Act, for counties contracting with the retirement board, a trial court and a county in which the trial court is located shall jointly participate in the Public Employees' Retirement System by joint contract. Existing law also requires the assets and liabilities of a county and a trial court jointly contracting with the board to be combined for purposes of setting the employer contribution rate for both the county and the trial court.

This bill would create an exception to that provision for Butte County, to require the assets and liabilities of the trial court and that county to be kept in separate accounts within the retirement fund. The bill would also require the computation for the separation of assets and liabilities to be calculated retroactively from June 30, 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20460.1 of the Government Code is
2 amended to read:

1 20460.1. (a) For all counties that contract with the board for
2 the provision of retirement benefits for their eligible employees
3 as of the implementation date of the Trial Court Employment
4 Protection and Governance Act (Chapter 7 (commencing with
5 Section 71600) of Title 8), a trial court and a county in which the
6 trial court is located shall jointly participate in this system by
7 joint contract. All other counties and trial courts may elect such
8 joint participation in accordance with the procedures set forth in
9 this chapter. Except as provided in subdivision (b) and except as
10 otherwise provided in this part, the trial court and the county
11 jointly participating in this system shall each have all of the
12 rights and all of the obligations of a contracting agency under the
13 contract and under this part.

14 (b) A county shall not be responsible for the employer or
15 employee contributions required to be paid on behalf of trial
16 court employees. A trial court shall not be responsible for the
17 employer or employee contributions required to be paid on behalf
18 of county employees.

19 (c) As used in this chapter, “joint contract” means a contract
20 with the board as set forth in subdivision (a).

21 (d) *Notwithstanding any other section, for Butte County, the*
22 *assets and liabilities of the trial court and the county shall be*
23 *kept in separate accounts within the retirement fund. The*
24 *computation for the separation of assets and liabilities shall be*
25 *calculated retroactively from June 30, 2002.*

26 SEC. 2. Section 20815 of the Government Code is amended
27 to read:

28 20815. (a) Notwithstanding any other provision of this part,
29 including, but not limited to, Sections 20225 and 20790, the
30 board shall not combine the assets and liabilities of public agency
31 employers into a single account for the purpose of setting a
32 uniform rate of employer contributions for all public agency
33 employers. The rate at which a public employer’s contribution to
34 this system shall be fixed shall be based upon its own experience.
35 Provisions of law that provide authority for this system to
36 combine the assets and liabilities of public employers into a
37 single account for purposes of establishing a uniform rate are
38 superseded to the extent that they provide that authority. For
39 purposes of this section only, references to public employers
40 shall not be construed to include school employers.

1 (b) Notwithstanding subdivision (a), the assets and liabilities
2 of a county and a trial court jointly contracting with the board
3 under Section 20460.1 shall be combined for purposes of setting
4 the employer contribution rate for both the county and the trial
5 court. *This subdivision does not apply to Butte County.*

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